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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,585	12/31/2001	Samuel W. Flynn	9571.00	4070
26884	7590	01/28/2005	EXAMINER	
PAUL W. MARTIN LAW DEPARTMENT, WHQ-4 1700 S. PATTERSON BLVD. DAYTON, OH 45479-0001			TANG, SON M	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 01/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/036,585

Applicant(s)

FLYNN, SAMUEL W.

Examiner

Son M Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mason [US 6,408,279].

Regarding to claim 1: Mason discloses a system for enhancing security for a self-checkout station comprising: a security controller 22 for parsing an alert message that identifies a self-checkout station, an event occurring at the self-checkout station [col. 4, lines 10-44, col. 7, lines 25-29]; and a security device 28a coupled to the security controller for facilitating identification of a shopper, wherein the security device (camera 28a) receives control messages from the security controller 22 corresponding to certain events identified in the alert message [as shown in Fig. 1-2 col. 6, lines 1-11], Mason does not specifically stating that event assigned is a priority level, however, it is clear in the art that camera uses for capturing certain events during a customer's transaction, which means that certain events are events that important enough for the station's system to trigger the camera. Therefore, it would have been obvious of one having ordinary skill in the art at the time the invention was made to recognize that, priority level for event can be any certain events that important enough to trigger camera to capture the shopper identification.

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3. Claims 1-4, 7-8, 10-16, 19-20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mason [US 6,408,279] in view of Blackshear [US 4,945,367].

Regarding to claims 1-2 and 10: Mason discloses a system for enhancing security for a self-checkout station comprising: a security controller 22 for parsing an alert message that identifies a self-checkout station, an event occurring at the self-checkout station [as cited in col. 2, lines 1-7, col. 4, lines 10-44, col. 7, lines 25-29]; and a security device 28a (camera) coupled to the security controller for facilitating identification of a shopper, wherein the security device (camera 28a) captures shopper's image corresponding to certain events [as shown in Fig. 1-2 col. 6, lines 1-11], except for specifically stating that the security camera and control messages from security controller correspond to the priority level assigned, which control messages correspond to zoom, pan, tilt, and focus operations for the camera. Blackshear teaches a security camera is being able to zoom, pan, tilt and focus to the location that corresponding to the activation of an alarm signal, that indicative of where the alarm event is for the corresponding control according to [col. 10, lines 17-26] constitutes the priority level. Therefore, it would have been obvious of one having ordinary skill in the art at the time of the claimed invention to have security camera that zoom, pan, tilt, and focus operations corresponding to the control messages (events alarm) from the security controller for the purpose of capturing better shopper image for facilitating identification of a shopper.

Regarding to claims 3-4 and 7-8: Mason and Blackshear made obvious in claims 1-2 above, Mason disclosed a video camera 28a, which obviously uses for recording and displaying captured image, Mason does not specifically disclose that the control message direct a video stream from a camera corresponding to the station identified by the alert message to the video

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camera, since controller 22 configured to monitor all the events at a plurality self-checkout stations 10, and wherein camera 28a at a certain station records image corresponding to certain events at that self-checkout station and the image can be displayed by video camera or may be at the monitor controller 22. Therefore, it would have been obvious of one having ordinary skill in the art at the time the invention was made to recognize that, image data captured at certain station that corresponding to certain events constitutes of a camera corresponding to the station identified by the alert message.

Regarding to claim 11: Mason and Blackshear made of obvious in claim 10 above, Mason further discloses that self-checkout stations 10 coupled by a computer network to the server 22 [as shown in Fig. 1, col. 4, lines 8-26].

Regarding to claim 12: Mason and Blackshear made of obvious in claim 1 above, Mason further discloses a plurality of self-checkout stations 10, coupled to monitor controller 22, each station 10 comprises a video camera for enhancing security which capture image when certain events condition is met during a customer's transaction, Mason not specifically discloses a server coupled to self-checkout station includes security agent software for generating an event message identifying a security event at a station, and sent to the controller. Since, it is a self-checkout station which automatic performs the customer transaction includes security monitor, therefore, it would have been obvious of one having ordinary skill in the art to recognize that, self-checkout station must have a server for a priority level assigned and security software in order to identify any security event occurred during transaction at the self-checkout station.

Regarding to claims 13-16, 19-20 and 22-24: The claimed method steps are interpreted and rejected as rejection stated above.

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4. Claims 5-6 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mason in view of Blackshear, and further in view of Humble [US 5,426,282].

Regarding to claims 5-6: Mason and Blackshear made of obvious in claim 4 above, they fail to specify that controller 22 includes a flashing and audible alert indicator in the video stream directed to the image data display device, Humble teaches a self-checkout station comprises a camera that send recorded image to controller 70 includes a flashing and audible alert indicator [col. 6, lines 54-58]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention, to have the flashing/audible alert indicator in the video stream directed to display at the cashier station as taught by Humble into the monitor controller of Mason and Blackshear above, for the purpose of safety which alert personnel that an immediately attention to important event has occurred.

Regarding to claims 17-18: The claimed method steps are interpreted and rejected as rejection stated above.

5. Claims 9 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mason in view of Blackshear, and further in view of Lippert [US 6,343,739].

Regarding to claim 9: Mason and Blackshear made of obvious of claim 1 above, they fail to specify that wherein the security device is a pager associated with a security officer. Lippert teaches a self-checkout system, which comprises a pager, associated with security officer and received personnel-request signal [as cited in Fig. 22, col. 21, lines 19-40]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention, to have portable pager which can be received a request message from the controller as taught by Lippert,

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into the system of combination above, for enhancing the security when security officer is out of office.

Regarding to claim 21: The claimed method steps are interpreted and rejected as rejection stated above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Huffman [US 6,793,128].

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 4/9 First Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BENJAMIN C. LEE
PRIMARY EXAMINER

Son Tang